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EAST TIMOR

Working paper prepared by the Secretariat

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EAST TIMOR

I. GENERAL

1. The island of Timor is located at the tip of the chain of islands forming the Republic of Indonesia. It lies between latitudes 8°17'S and 10°22'S and longitudes 123°25'E and 127°19'E. The Territory of East Timor comprises the eastern part of the island, the enclave of Oecusse Ambeno, the island of Ataúro off the northern coast and the island of Jaco off the extreme eastern tip.

2. The 1980 census recorded the total population of the Territory as 555,350, and in 1988 it was estimated at 707,000. 1/

II. CONSIDERATION BY THE UNITED NATIONS 2/

A. General Assembly and other United Nations bodies

3. Between 1961 and 1982, the General Assembly annually reviewed the situation relating to East Timor and adopted resolutions thereon, on the basis of the reports submitted to it by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. 3/

4. In April 1977 and in every subsequent year, the Government of Portugal apprised the Secretary-General of the fact that owing to the conditions prevailing in East Timor it was not possible to transmit the information called for under Article 73 e of the Charter of the United Nations. 4/

5. At its thirty-seventh session, by its resolution 37/30 of 23 November 1982, the General Assembly requested the Secretary-General to initiate consultations with all parties directly concerned, with a view to exploring avenues for achieving a comprehensive settlement of the problem and to report thereon to the Assembly at its thirty-eighth session and requested the Special Committee to keep the situation in the Territory under active consideration and to render all assistance to the Secretary-General in order to facilitate implementation of the resolution.

6. Since 1983, the Secretary-General has kept the General Assembly apprised of the related developments in exercise of his good offices. 5/ In his latest progress report submitted to the General Assembly at its forty-third session, 6/ the Secretary-General stated that he would continue to do whatever he could to facilitate the progress of dialogue and the search for a comprehensive and internationally acceptable settlement.

7. At its thirty-eighth to forty-third sessions, the General Assembly deferred consideration of the question to its succeeding sessions. 7/

8. During the general debate at the forty-third session, the representatives of Angola, Cuba, Equatorial Guinea, Greece, Guinea-Bissau, Mozambique, Portugal, São Tome and Principe, Spain and Vanuatu referred, inter alia, to the question of East

Timor in their statements (A/43/PV.7, 10, 11, 15, 22, 29 and 31). Statements in exercise of the right of reply were made by the representatives of Indonesia and Portugal (A/43/PV.15).

9. On 3 October 1988, in his statement in the general debate at the forty-third session of the General Assembly, the Minister for Foreign Affairs of Portugal reiterated the position of his Government on the question of East Timor (A/43/PV.15).

10. At the same meeting the representative of Indonesia made a statement in exercise of the right of reply and reiterated the position of his Government in respect of East Timor (A/43/PV.15).

11. Under the mandate entrusted to it and renewed annually by the General Assembly, the Special Committee continued its review of the question at its 1983 to 1987 sessions and heard statements by Member States and petitioners concerning the situation in the Territory. 8/

12. At its 1988 session, the Special Committee considered the question of East Timor at its 1330th, 1335th, 1340th and 1341st meetings, between 1 and 12 August 1988. During those meetings, the Special Committee heard the representatives of Indonesia (A/AC.109/PV.1330, 1335 and 1340); Indonesia, Portugal, Guinea-Bissau (on behalf also of Angola, Cape Verde, Mozambique and Sao Tome and Principe), and Ethiopia (A/AC.109/PV.1341); as well as 21 petitioners (A/AC.109/PV.1340 and 1341).

13. At its 1341st meeting, on 12 August 1988, the Special Committee decided, without objection, to continue consideration of the item at its 1989 session, subject to any directives that the General Assembly might give in that connection at its forty-third session (A/AC.109/PV.1341).

14. Since the adoption of its resolution 1983/8 of 16 February 1983 relating to East Timor, 9/ the Commission on Human Rights has not considered the question of East Timor. At the 41st meeting of the forty-first session, on 5 March 1985, the Chairman announced that the Commission had taken action in private session, under Economic and Social Council resolution 1503 (XLVIII) of 27 May 1970, with regard, inter alia, to East Timor, and that the situation relating thereto was no longer under consideration by the Commission under the terms of that resolution. 10/

15. On 1 September 1988, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, by 10 votes to 9, with 5 abstentions, decided not to take any action on a draft resolution on East Timor. 11/

B. Communications addressed to the Secretary-General

16. In a letter dated 2 November 1988 addressed to the Chairman of the Special Committee (A/AC.109/974) regarding a letter dated 25 October 1988 addressed to the Secretary-General (A/AC.109/974, annex), the Permanent Representative of Portugal to the United Nations with reference to the visit to East Timor of the President of

the Republic of Indonesia (see para. 32), reiterated the position of his Government on the question.

17. In a letter dated 16 February 1989 addressed to the Secretary-General, 12/ the Permanent Representative of Portugal requested that his letter of 25 October 1988 on the question of East Timor (A/AC.109/974, annex) be considered an official document of the General Assembly, under item 119 of the preliminary list, and of the Security Council.

18. On 24 January 1989, the Permanent Representative of Indonesia to the United Nations addressed a letter to the Secretary-General 13/ on the matters raised in the above letters from the Permanent Representative of Portugal (see para. 16).

19. On 10 November 1988, the Permanent Representative of Portugal addressed a letter to the Chairman of the Special Committee (A/AC.109/981) transmitting his letter dated 9 November 1988 addressed to the Secretary-General (A/AC.109/981, annex), and requesting that the text of the latter be circulated as an official document of the Special Committee.

20. On 28 March 1989, the Permanent Representative of Indonesia addressed a letter to the Secretary-General on the matters raised in the above Portuguese letter (see para. 19) and requested that the text of his letter be circulated as an official document of the General Assembly, under item 122 of the preliminary list, and of the Security Council. 14/

21. On 11 April 1989, the Permanent Representative of Portugal addressed a letter to the Secretary-General requesting that his letter of 10 November 1988 (see para. 19) be considered an official document of the General Assembly, under item 122 of the preliminary list, and of the Security Council. 15/

22. On 14 April 1989, the Permanent representative of Portugal addressed a letter to the Secretary-General containing a communication from the Right Reverend Carlos Filipe Ximenes Belo, Titular Bishop of Lorium, Apostolic Administrator of Dili, regarding the question of East Timor (A/AC.109/991).

23. On 13 June 1989, the Permanent Representative of Indonesia addressed a letter to the Secretary-General transmitting decision No. 9/1989, adopted by the House of Representatives of East Timor on 25 May 1989. 16/

III. POLITICAL DEVELOPMENTS

24. Under Indonesian Law 7/76 promulgated on 17 July 1976, East Timor was designated as an Indonesian province or a "first level region". The law provided for the establishment of a "Regional Government" consisting of a "Regional Secretariat" and a "Regional House of Representatives". Most of the posts in these bodies were filled by local inhabitants. East Timorese also participate in the work of the National House of Representatives, and in the People's Consultative Assembly of Indonesia. 17/

25. On 23 April 1987, general elections for the National Assembly were held in Indonesia. According to an official Indonesian report, there were 360,144 voters registered with the East Timor Elections Committee. Of the total, 338,078 (93.7 per cent) voted for the ruling Functional Group (GOLKAR). 18/

26. On 18 September 1987, Mr. Mario Carrascalão was sworn in for a second five-year term as "Governor" of East Timor by the Indonesian Minister for Home Affairs.

27. According to a recent report of the Department of State of the United States of America, 19/ as of mid-1988, the Indonesian military presence in the Territory was estimated at some 10,000 troops.

28. The same source indicates that the Frente Revolucionária de Timor Leste Independente (FRETILIN), is believed to have 200 to 500 armed personnel with a somewhat greater number of followers, including family members. 20/

29. During the period under review, frequent small-scale clashes between FRETILIN and the Indonesian military were reported, particularly in the rugged mountainous eastern portion of the Territory, with occasional losses of life on both sides. According to those reports, FRETILIN had ambushed Indonesian forces and had attacked ordinary settlements for food and money. 20/

30. The report of the United States Department of State further indicates that over the past several years, the Indonesian Government has sought to win over FRETILIN rebels through more peaceful means and that the authorities have encouraged East Timorese with contacts within FRETILIN to advertise the benefits that Indonesian development has brought to East Timor, particularly in social services, such as schools and health facilities. In addition, the Indonesian Government has continued its amnesty programme under which FRETILIN rebels who surrender are permitted to settle in their house areas under the guardianship of the local church and authorities. 21/

31. According to press reports, 22/ 37 troops from the Indonesian army's 328th battalion were killed by FRETILIN fighters in the Laline region in the central south of East Timor in January 1989.

32. On 1 and 2 November 1988, President Soeharto visited East Timor "to open the Fourth National Congress of Indonesian Scouts in Dili and to inaugurate six development projects". 23/

IV. HUMAN RIGHTS SITUATION

33. Below is a summary of observations relating to the human rights situation in East Timor, contained in Country Reports on Human Rights Practices for 1988, Report on Indonesia, published in February 1989 by the United States Department of State: 24/

> In 1988, the Indonesian Government continued efforts to consolidate control, promote developments and improve living standards in East Timor.

Restrictions remained on travel to and from East Timor although the Government appeared to be easing access by diplomats and other foreigners through escorted visits and, in December 1988, announced the end of special requirements as of 1 January 1989. 25/

According to the same source, the human rights performance in 1988 was mixed. Positive aspects included the release from detention of several East Timorese suspected of supporting FRETILIN, legal action against several police officials charged with mistreating prisoners, and considerable freedom of religion. Negative aspects included the abuse of prisoners, at times resulting in death; significant restrictions on freedom of the press and of movement; and pervasive political controls which ensured continued military domination of the governmental system. 25/

There were no substantiated reports of killings for political reasons in 1988.

No exact figures or confirmed identities are available on the small number of disappearances widely believed to have occurred during the year. There have been reports of torture by security forces of suspected FRETILIN sympathizers in East Timor.

Judicial warrants for searches are required except in cases involving suspected subversion, economic crimes, and corruption. However, forced or surreptitious entry of residences by security agencies occurred periodically. Security forces also conducted surveillance of persons and residences. Both local and international telephone calls are believed to be monitored selectively, without legal restraint by government security agencies. However, special government approval is no longer needed for telephone communication between Jakarta and East Timor since the installation in 1988 of four direct telephone lines. Nevertheless, letter mail to and from East Timor is believed to still be subject to official scrutiny. 26/

The Government has recently eased access by some foreign observers to the Territory. 27/ In October 1988, an Australian State Chief Minister, accompanied by journalists, and former East Timor residents visited the Territory. In December 1988 the Indonesian Government announced that as of 1 January 1989, special travel requirements would no longer be in effect for East Timorese travelling to "other provinces" and for Indonesians from "other provinces" travelling to East Timor. 28/

The Government considers outside investigations of alleged human rights violations to be an interference in its internal affairs. Representatives of Amnesty International and other international human rights groups have been refused access. 29

Under a 1985 agreement with the Indonesian Government, the International Committee of the Red Cross (ICRC) has continued to conduct regular visits to the Territory. 29/

34. Summarized below are observations relating to human rights practices in East Timor, contained in the latest United States Department of State report, published on 12 May 1989. 30/

According to the report, the Indonesian Government seems resolved to win the sympathy of the Timorese by placing more emphasis on the economic and social achievements of its administration. The decline in allegations of human rights violations in recent years is attributed to the fact that more attention is paid by the Indonesian Government to possible international repercussions of inappropriate actions.

Nevertheless, when security is perceived to be threatened, the military authorities use their broad powers of detention. In this connection, the report mentions that several hundred persons were detained for unspecified security reasons before and after the 1 November 1988 visit of President Soeharto to East Timor. According to official sources, all of the detainees have since been released, except for eight who were tried and sentenced to prison terms of up to six months. 31/

35. A summary of observations from a report of the International Committee of the Red Cross 1989 Emergency Appeal: Asia 32/ is given below:

In 1988, ICRC continued its various activities for different groups of people affected by the events in East Timor. In April and September 1988, two complete series of visits were made to persons detained at two places of detention, Becora in Dili, and Cipineng in Jakarta, in relation to events in East Timor. The visits revealed that in the course of the year 1988, the number of persons detained had been reduced from 46 in April to 35 in September, compared to 122 detainees visited in November 1987. No new detainees were registered in 1988. 33/

In co-operation with the Office of the United Nations High Commissioner for Refugees, ICRC continued the repatriation programmes for civil servants of the former Portuguese administration and their families. 34/ During the period under review, ICRC completed the revision of some 1,240 tracing files and tracing requests concerning missing family members. 35/

36. In a statement which he reportedly ordered to be read in churches throughout East Timor, in November 1988, following President Soeharto's visit to the Territory, the Right Reverend Carlos Filipe Ximenes Belo, Titular Bishop of Lorium, Apostolic Administrator of Dili, contested claims that human rights abuses had ended in East Timor 36/ (see paras. 22 and 23).

37. A group of 12 Australian journalists who visited East Timor from 9 to 11 November 1988 reportedly refuted the Bishop's allegations. They pointed out that there had been a general trend of improvement in living conditions in the Territory. 37/ Nevertheless, Mr. Alfredo Ferreira, one of the leaders of Darwin's FRETILIN Community, was quoted as having condemned that visit, saying that the journalists had only been shown what the Indonesians wanted them to see. 38/

V. ECONOMIC AND SOCIAL CONDITIONS

38. In the absence of information under Article 73 e of the Charter, and for the reasons explained in paragraph 4, the information contained in this section has been derived from sources other than the Portuguese Government.

39. According to a press release published by the Permanent Mission of Indonesia to the United Nations, on 2 November 1988, at the inauguration by President Soeharto of a number of development projects in East Timor, "Governor" Carrascalão, in his address, described the prevailing social and economic conditions as follows: 23/

"Per capita income in East Timor was $US 198 in 1987".

"Production of corn reached 57,473 tons", "rice, 39,000 tons", "coffee production yielded 10,000 tons in 1986/1987".

"Rural development covered 442 villages and was accorded priority in the development plan", out of which "only 4 villages were qualified to be declared self-sufficient", "Village co-operatives reached 179 units with 35,571 members and a total savings of Rp 500,598,024 in 1987"; 39/ "total volume of co-operative activities had a value of Rp 17,451,115,503 and a profit of Rp 510,645,581".

"Total aggregate length of roads reached 1,643 kilometres consisting of asphalted roads (680 kilometres), roads covered with hard rock (407 kilometres) and unasphalted roads (556 kilometres)". "Bridges consisted of 20 units with a total aggregate length of 780 metres" in 1988.

"The rate of illiteracy was 48 per cent of the total population in 1988". "There were 138,000 school-aged children between 7 and 12 years of age". "There were 560 schools in 1988 and 129,000 children enjoyed primary education". "For children below 7 years of age, 23 kindergartens were built that can accommodate 1,713 pupils"; "in 1988, 81 junior high schools with 557 teachers could absorb 26,315 students and 28 schools and 610 teachers were available to 10,436 students". "During the period 1976-1988, 124 persons obtained university degrees". "East Timor, at present, had its own university which could absorb 600 students"; "nearly 1,000 students from East Timor were studying in institutions of higher learning".

"The number of doctors in proportion to the total population was recorded at one doctor per 7,000 people"; "PUSKEMAS (public health clinics) and POSYANDU (integrated public services) were located in every village". "The most urgent problem was the lack of doctors - specialists, as only 4 specialists were available, while the lack of paramedical staff could be overcome gradually by employing graduates of the nursing school in Dili which turned out 70 health workers each year".

40. The development projects referred to in paragraphs 32 and 41 40/ reportedly included:

"Renovation of the Cathedral of the Immaculate Conception in Dili";

"Expansion of the Dili Sports stadium";

"Development project for vocational senior high school in Dili";

"The development project for the Uainmi bridge in Laga, District of Baucau";

"Two development projects for the enhancement of the civil service infrastructure".

41. The total cost of those projects, according to "Governor" Carrascalão, was Rp 6,763,947,297. 41/

42. East Timor was reportedly able to increase revenues up to Rp 24.67 billion for the 1988/89 budget. That amount reportedly included genuine domestic earning of Rp 1.56 billion, contribution of Rp 8.44 billion and the Indonesian Government's aid of Rp 12 billion. 42/

43. According to the Indonesian Directorate General of Tourism, East Timor has now become available for tourist travel. The tourist industry in East Timor will be started in eight districts, i.e., Dili, Ainaro, Covalima, Aileu, Ermera, Liquiça, Bobonaro and Ambeno. Those districts are reported to be equipped with the necessary infrastructure in the areas of transport, communications, housing and other support facilities to accommodate vacationers. 43/

44. The 1989 report of the International Committee of the Red Cross states that during 1988, ICRC carried out a general medical and nutritional survey in East Timor. Visits by the ICRC group to four villages in Los Palos, Baucau and Viqueque districts in January and February 1988 revealed a deterioration in the medical and nutritional condition of the population of those areas since 1987. ICRC informed the authorities of that situation and urged them to provide food assistance in the Lore and Los Palos areas. On 2 March 1988, ICRC and the Indonesian Red Cross distributed 11.5 tons of maize to some 170 families. During the period from 1 August to 14 September, ICRC also conducted a sanitation survey in East Timor which indicated that deficiencies in water supply due to damage or destruction of many wells and water sources had caused the health of the residents of 10 villages to deteriorate. ICRC, together with the Indonesian Red Cross launched a programme aimed at improving that situation. 44/

45. The 1989 United States Department of State report on East Timor indicates that the Territory has remained a traditional food deficit area relying primarily on shifting "slash and burn" farming techniques. The dislocation and damage caused by the insurgency has undermined agricultural production, according to the report. Restrictions on movement in areas of military operations have reduced or delayed planting with a further negative impact on food production. The report notes that although East Timor has avoided serious food shortages and there is no immediate risk of famine, the food situation in parts of the Territory is precarious and requires careful monitoring. 45/

46. Since September 1981, the United States Agency for International Development (USAID) has provided almost $US 6 million for an agricultural development project in the Loes River Basin in the western part of the Territory. In December 1987, an East Timorese foundation took over the administration of the project from the Catholic Relief Services. The project is intended to encourage settled farming, multicropping and increased production of food crops, including surplus quantities for commercial marketing. In the long term, the project is expected to help to reduce East Timor's endemic food shortages. 46/

47. Under an agreement signed in 1980, USAID worked with the Indonesian Government on a $3.6 million malaria control project covering East and West Timor. Also, the United States made significant contributions to support ICRC in East Timor during the emergency relief effort and in subsequent nutrition and welfare programmes in the province. 45/

48. On 17 March 1988, the United Nations Development Programme (UNDP) and the World Health Organization (WHO) signed an agreement with the Indonesian Ministry of Health for the supply of drinking water and the improvement of sanitation systems in villages in the districts of Dili, Liquiça, Bobonaro and Ambeno at a total cost of $US 439,500. The project includes the training of human resources at all levels, the actual construction of facilities, the implementation of support programmes, as well as the promotion of community health education and participation. The projects, scheduled to be completed in 1990, received aid amounting to Rp 311,745,000 from the Indonesian Government. They include the construction of 1,000 wells, 6 spring-source water protections and 100 water-closets.

49. The Government of New Zealand has agreed to provide Rp 535 million for the Indonesian Government programmes for maternal and child care. The funds, channelled through the United Nations Children's Fund (UNICEF), will be used for basic services for children, mothers and their families in East Timor and elsewhere. Under the programme, UNICEF will assist in the activities concerning nutrition and growth monitoring of children; maternal and child health, including immunization; training for health centre staff, health workers and women in development activities; as well as water supply and environmental sanitation.

50. According to press reports, 47/ Australia and Indonesia, after protracted negotiations over an unresolved Timor Sea boundary dispute, agreed in 1988 to a joint development of the oil resources of that zone. In this connection, the Permanent Representatives of Indonesia and Portugal addressed communications to the Secretary-General, as well as to the Chairman of the Special Committee (see paras. 19-21 above).

Notes

1/ Demographic Yearbook 1986 (United Nations publication, ST/ESA/STAT/SER.R/16), Sales No. E/F.87.XIII.1); United Nations World Population Chart, 1988, (United Nations publication (ST/ESA/SER.A/106/Add.1), Sales No. E.88.XIII.7A).

Notes (continued)

2/ For details, see corresponding sections of the previous working papers contained in documents A/AC.109/L.1328, A/AC.109/623, 663, 715, 747, 783, 836, 871, 919 and 961.

3/ See General Assembly resolutions 1699 (XVI), 1807 (XVII), 1913 (XVIII), 2107 (XX), 2184 (XXI), 2395 (XXIII), 2507 (XXIV), 2707 (XXV), 2795 (XXVI), 2918 (XXVII), 3113 (XXVIII), 3294 (XXIX), 3485 (XXX), and 31/53, relating to the question of Territories under Portuguese administration, including East Timor; see also Assembly resolutions 32/34, 33/39, 34/40, 35/27, 36/50 and 37/30 on the question of East Timor.

4/ See A/35/233, A/36/160, A/37/113, A/38/125, A/39/136, A/40/159, A/41/190, A/42/171, A/43/219 and A/44/262. Owing to lack of official information from the administering Power, the information contained in the present paper has been derived from published reports.

5/ A/38/352, A/39/361, A/40/622, A/41/602 and A/42/539.

6/ A/43/588.

7/ General Assembly decisions 38/402, 39/402, 40/402, 42/402 and 43/402 and A/41/PV.3.

8/ Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 23 (A/38/23); ibid., Thirty-ninth Session, Supplement No. 23 (A/39/23); ibid., Fortieth Session, Supplement No. 23 (A/40/23); ibid., Forty-first Session, Supplement No. 23 (A/41/23); and ibid., Forty-second Session, Supplement No. 23 (A/42/23).

9/ See Official Records of the Economic and Social Council, 1983, Supplement No. 2 (E/1983/14-E/CN.4/1983/60).

10/ Ibid., 1985, Supplement No. 2 (E/1985/22-E/CN.4/1985/66), paras. 276 and 277.

11/ E/CN.4/Sub.2/1988/L.26 and press release HR/3361.

12/ A/44/133-S/20474.

13/ A/44/94-S/20421.

14/ A/44/201-S/20546 and Corr.1.

15/ A/44/223-S/20586.

16/ A/44/319.

Notes (continued)

17/ Under the Indonesian Constitution, the People's Consultative Assembly is the highest organ of government.

18/ Permanent Mission of Indonesia to the United Nations, press release No. 005/PR/070787, 7 July 1987.

19/ United States Department of State, East Timor 1989, Washington, D.C., 1989, p. 2.

20/ Ibid., p. 1.

21/ Ibid., pp. 1-2.

22/ The Australian, 2 February 1989.

23/ Permanent Mission of Indonesia to the United Nations, press releases, Nos. 19/PR/112588 and 18/PR/091188.

24/ United States Department of State, Country Reports on Human Rights Practices for 1988, Report on Indonesia (United States Government Printing Office, Washington, D.C., February 1989), pp. 808-823.

25/ Ibid., p. 809.

26/ Ibid., p. 812.

27/ Ibid., p. 814.

28/ Ibid., p. 815.

29/ Ibid., p. 817.

30/ United States Department of State, East Timor 1989, Washington, D.C., 1989.

31/ Ibid., p. 5.

32/ International Committee of the Red Cross, 1989 Emergency Appeal: Asia, ICRC, SO/REX, Geneva, 1989, pp. 83-90.

33/ Ibid., p. 84.

34/ Ibid., p. 85.

35/ Ibid., pp. 84-85.

36/ The New York Times, 22 January 1989.

Notes (continued)

37/ The Australian, 14 November 1988; Permanent Mission of the Republic of Indonesia to the United Nations, press release, No. 01/PR/010989.

38/ The Australian, 14 November 1988.

39/ The local currency is the rupia.

40/ Ibid., No. 18/PR/091188.

41/ Ibid., No. 19/PR/12588.

42/ Ibid., No. 10/PR/061289.

43/ Ibid., No. 05/PR/032889.

44/ International Committee of the Red Cross 1989 Emergency Appeal: Asia, ICRC, SO/REX, Geneva, 1989, pp. 85-86.

45/ United States Department of State, East Timor (1989), Washington, D.C., 1989, p. 3.

46/ Ibid., pp. 2-3.

47/ The Christian Science Monitor, 7 March 1989.